

BRIAN SANDOVAL
Governor

STATE OF NEVADA

REPLY TO:

MEMBERS

Guy M. Wells, Chairman
Thomas "Jim" Alexander
Kevin E. Burke
Margaret Cavin
Joe Hernandez
Jan B. Leggett
Stephen P. Quinn



Southern Nevada
2310 Corporate Circle
Suite 200
Henderson, Nevada 89074
(702) 486-1100
Fax (702) 486-1190
Investigations (702) 486-1110

www.nscb.nv.gov

Northern Nevada
9670 Gateway Drive, Suite 100
Reno, Nevada 89521
(775) 688-1141
Fax (775) 688-1271
Investigations (775) 688-1150

STATE CONTRACTORS BOARD

MINUTES OF THE MEETING September 17, 2014

CALL TO ORDER:

Richard Scotti, Esq. called the meeting of the State Contractors Board to order at 8:30 a.m., Wednesday, September 17, 2014, State Contractors Board, Henderson and Reno, Nevada. Exhibit A is the Meeting Agenda and Exhibit B is the Sign In Log.

ADMINISTRATIVE LAW JUDGE:

Mr. Richard Scotti, Esq.

STAFF MEMBERS PRESENT:

Ms. Margi Grein, Executive Officer
Mr. Paul Rozario, Director of Investigations
Mr. George Lyford, Director of Investigations
Mr. Daniel Hammack, Chief of Enforcement

LEGAL COUNSEL PRESENT:

Mr. Noah Allison, Esq., Legal Counsel

Ms. Grein stated the agenda was posted in compliance with the open meeting law on September 11, 2014, at Paseo Verde Library, Sawyer State Building and Clark County Library. The agenda was also posted in both offices of the Board, Henderson and Reno and on the Board's Internet Website.

ADMINISTRATIVE LAW JUDGE: Richard Scotti, Esq.

1. DISCIPLINARY HEARING: (Continued from May 28, 2014, July 23, 2014, August 20, 2014)

MURRELL E. REDDING, JR., OWNER, dba REDDING DRILLING, License No. 38155

Licensee was present and represented by Eric Dobberstein, Esq. at the hearing.

Upon the Stipulation of the parties, ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to possess the required business license; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$50.00 for the Third Cause of Action; a fine of \$500.00 for the Fourth Cause of Action for total fines of \$550.00 and investigative costs of \$3,660.00. All fines and investigative costs are to be paid within ninety (90) days of the September 17, 2014 hearing or license number 38155, Murrell E. Redding, Owner, dba Redding Drilling shall be suspended. Respondent's license shall remain suspended until a current financial statement with bank verification form that supports the license limit has been provided to the Board. The Board rescinded the First Interim Decision and Order dated July 28, 2014 and the Order Revoking License dated August 1, 2014.

2. DISCIPLINARY HEARING: (Continued from July 23, 2014)

RANCHO FLOORING, INC., License Nos. 66919, 68805

Licensee was present and represented by Eric Dobberstein, Esq. at the hearing.

ALJ Scotti found that Respondent has complied with the Board's Decision and Order dated July 30, 2014 and no further fines and investigative costs were assessed. Respondent was discharged from any other obligations on this matter.

3. DISCIPLINARY HEARINGS:

COLOR COUNTRY CONSTRUCTION, License Nos. 42168, 36464

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

Exhibit 2 – Respondent's Answer to the Board's Complaint dated August 8, 2014.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; two (2) violations of NRS 624.302(6) failure to comply with a written request from the Board; two (2) violations of NRS 624.3016(10) knowingly submitting false information in a certified payroll report that is required for a contract for a public work; and one (1) violation of NRS 624.3018(2) certain persons are prohibited from serving as officer, director, associate or partner of licensee. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for the Second Cause of Action; a fine of \$250.00 for each of the Third and Fourth Causes of Action; a fine of \$1,000.00 for each of the Fifth and Sixth Causes of Action for total fines of \$3,250.00 and investigative costs of \$2,006.00. License numbers 42168 and 36464, Color Country Construction were revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

4. DISCIPLINARY HEARINGS:

FIX ME UP, INC., License No. 77557

Licensee was present but not represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated July 30, 2014.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license and affirmed the Board's Administrative Citation issued June 10, 2014. The Second Cause of Action was dismissed. Respondent was assessed a fine of \$500.00 for the First Cause of Action and investigative costs of \$275.00. Fines and investigative costs are to be paid within thirty (30) days of the September 17, 2014 hearing or license number 77557, Fix Me Up, Inc. shall be suspended.

5. DISCIPLINARY HEARINGS:

PREMIER DESIGN & CONSTRUCTION, LLC, License No. 75944

Licensee was present and represented by Michael Hughes, Esq. at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated August 21, 2014.

Upon the Stipulation of the parties, ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) disregard of the building laws of this State; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Third Cause of Action was dismissed. Respondent was found in violation of the Sixth Cause of Action; however a fine was not assessed. Respondent was assessed a fine of \$250.00 for the First Cause of Action; a fine of \$250.00 for the Second Cause of Action; a fine of \$500.00 for the Fourth Cause of Action; a fine of \$1,000.00 for the Sixth Cause of Action for total fines of \$2,000.00 and investigative costs of \$2,122.00. Fines and investigative costs are to be paid within ninety (90) days of the September 17, 2014 hearing or license number 75944, Premier Design & Construction, LLC shall be suspended. Restitution was ordered to Cynthia Keller in the amount of \$3,000.00 to be paid within thirty (30) days of the September 17, 2014 hearing or license number 75944, Premier Design & Construction, LLC shall be suspended. Respondent license limit shall be lowered to \$15,000.00.

6. DISCIPLINARY HEARINGS:

LAWRENCE LANDSCAPES, LLC, License No. 69787

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

The following Licensee Exhibits were entered:

Exhibit A – Respondent's Answer to the Board's Complaint dated August 25, 2014.

ALJ Scotti found Respondent guilty of one (1) violation of NRS 624.3015(1) acting the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) disregard of the building laws of this State; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(5) failure to include its license number and monetary license limit on its contracts; one (1) violation of NRS 624.3015(2) bidding for one construction contract in excess of the license limit; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. The Seventh Cause of Action was dismissed. Respondent was assessed a fine of \$2,000.00 for the First Cause of Action; a fine of \$3,000.00 for the Second Cause of Action; a fine of \$1,000.00 for the Third Cause of Action; a fine of \$1,000.00 for the Fourth Cause of Action; a fine of \$500.00 for the Fifth Cause of Action; a fine of \$1,000.00 for the Sixth Cause of Action; a fine of \$500.00 for the Eighth Cause of Action for total fines of \$9,000.00 and investigative costs of \$2,128.00. License number 69787, Lawrence Landscapes, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

a. CUSTOM DESIGN CABINETS OF LAS VEGAS, License No. 51576

Licensee was present and was represented by Craig D. Slater, Esq. at the hearing.

This matter was continued to October 22, 2014.

b. S. J. HART PLUMBING, LLC, License No. 77674

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Scotti found Respondent S. J. Hart Plumbing, LLC, license number 77674 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3013(3) failure to establish financial responsibility; one (1) violation of NRS 624.302(5) failure to respond to a written request from the Board; one (1) violation of NRS 624.302(6) failure to comply with a written request from the Board; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.640(3) failure to notify the Board of a change of address. Respondent was assessed a fine of \$500.00 for the First Cause of Action; a fine of \$250.00 for each of the Second, Third and Fourth Causes of Action for total fines of \$1,250.00 and investigative costs of \$1,664.00. License number 77674, S. J. Hart Plumbing, LLC was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

c. OMEGA CONSTRUCTION GROUP, INC., dba FORTE CONSTRUCTION GROUP,
License No. 77096

Licensee was not present nor represented by counsel at the hearing.

The following Agency Exhibits were entered:

Exhibit 1 – Board Hearing File.

ALJ Scotti found Respondent Omega Construction Group, Inc., dba Forte Construction Group, license number 77096 in default and adopted the Findings of Fact and Conclusion of Law as set forth in the Administrative complaint. The Respondent was found guilty of one (1) violation of NRS 624.3017(1) substandard workmanship; one (1) violation of NRS 624.3013(5), as set forth in NAC 624.700(3)(a) failure to comply with Board's Notice to Correct; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.520(1) failure to provide Residential Recovery Fund notice to owner; one (1) violation of NRS 624.3015(1) acting in the capacity of a contractor beyond the scope of the license; one (1) violation of NRS 624.3011(1)(b)(1) disregard of the building laws of this State; one (1) violation of NRS 624.3015(4) knowingly entering into a contract with a contractor while that contractor is not licensed; one (1) violation of NRS 624.3013(5), as set forth in NRS 624.165(3)(e)(2) failure to acquire a business license in Boulder City, Nevada; one (1) violation of NRS 624.3013(3) failure to establish financial responsibility. Respondent was assessed a fine of \$500.00 for each of the First, Seventh and Eighth Causes of Action; a fine of \$100.00 for each of the Second and Third Causes of Action; a fine of \$250.00 for the Fourth Cause of Action; a fine of \$1,000.00 for each of the Fifth and Sixth Causes of Action for total fines of \$3,950.00 and investigative costs of \$1,788.00. License number 77096, Omega Construction Group, Inc., dba Forte Construction Group was revoked. Respondent is required to make full restitution to all damaged parties and reimburse the Board for any monies paid out of the Residential Recovery Fund plus pay the fines and investigative costs prior to consideration of future licensure.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned by ALJ Scotti at 12:32 p.m.

Respectfully Submitted,



Melinda Mertz, Recording Secretary

APPROVED:



Margi A. Grein, Executive Officer



Richard Scotti, Esq., Administrative Law Judge